

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

JOE ANDREW SALAZAR,

Plaintiff,

v.

AT&T MOBILITY LLC,  
SPRINT/UNITED MANAGEMENT  
COMPANY, T-MOBILE USA, INC.,  
AND CELLCO PARTNERSHIP D/B/A  
VERIZON WIRELESS,

Defendants

and

HTC CORP., and HTC AMERICA, INC.,

Intervenors.

Civil Action No. 2:20-cv-00004-JRG

JURY TRIAL DEMANDED

**DECLARATION OF FRANCES H. STEPHENSON**

I, Frances H. Stephenson, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 under the laws of the United States of America, that the following is true and correct:

1. I am an attorney of Keyhani LLC, attorneys for Plaintiff Joe Andrew Salazar in the above captioned case. I am a member in good standing of the New York State Bar. I am over 21 years of age. I have personal knowledge of the following facts or access to information allowing me to confirm these facts.

2. On April 28, 2020, pursuant to P.R. 4-3, counsel for Salazar provided a preliminary unsigned draft of the Joint Claim Construction and Prehearing Statement (the “Joint Statement”)

to Defendants and Intervenor to use as a template for the final version due to the Court on May 1, 2020. This document was titled “DRAFT Joint Statement PR 4-3 4.28.2020.”

3. Salazar based his preliminary draft on Defendants’ and Intervenor’s P.R. 4-2 disclosure, in which the parties indicated they were going to bring in extrinsic evidence and rely on the testimony of their expert Dr. Wolfe to support their positions.

4. In this draft statement, Salazar, citing the position taken by Defendants in their motion to dismiss and reply briefs, stated: “In *Salazar v. HTC Corp.*, (2:16-cv-01096-JRG), Defendants’ privy and Intervenor in this case, HTC Corp., previously asserted (in the parties’ P.R. 4-3 disclosure) that it ‘objects to expert testimony because only intrinsic evidence is relevant to claim construction in this case.’”

5. On April 29, 2020, the date the Joint Statement was due to the Court, Defendants and Intervenor asked Salazar if he would consent to an extension until May 1. Salazar agreed to the extension.

6. Salazar did not receive Defendants’ and Intervenor’s draft until late afternoon on May 1. In this draft, Defendants and Intervenor withdrew all of their expert testimony.

7. Upon receiving notice for the first time that this testimony was being completely removed, Salazar withdrew his draft statement about the parties being privy because it was no longer relevant. This was the first opportunity Salazar had to make revisions responsive to Defendants’ and Intervenor’s edits.

Dated: June 17, 2020

s/ Frances H. Stephenson  
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